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Feature Article - Firearms Act 1996

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The Firearms Act 1996 provides for the regulation of the possession, use, registration and licensing of firearms in Tasmania. The move towards national minimum standards on the ownership of firearms was adopted at the Australasian Police Ministers' Council Special Firearms meeting on 10 May 1997 where firearms laws were discussed in the wake of the events at Port Arthur. The Firearms Act 1996 has replaced the Guns Act 1991. A major change was the prohibition of the following types of firearms:

- machine and sub-machine guns;
- self-loading rim-fire rifles;
- self-loading centre-fire rifles;
- self-loading shotguns; and
- pump action shotguns.

To possess and use a firearm, a person is required to hold a firearms licence. To be granted a licence a person must be over 18 years of age, be a fit and proper person, successfully complete an approved firearms safety course, and meet certain safety and storage requirements. A person must also have a satisfactory reason for wanting to have a firearm.

A new requirement of the Firearms Act 1996 is that a person must register every firearm in their possession. Under the Guns Act 1991, only pistols were required to be registered. A person is required to make each firearm available for inspection before it can be registered. If a person sells a firearm or it is lost or stolen, that person must notify the Commissioner within 7 days.

For people wanting to surrender their firearms, there are 33 locations around Tasmania where people can do so. All surrendered firearms are transported to Hobart and under the supervision of the Auditor-General, are guillotined into 3 pieces and melted at a local foundry. The metal is scrap only because different metals are present, such as gold, lead, iron and silver.

The Act provides tough penalties for the contravention of certain provisions. For example, the penalty for contravening the general safekeeping requirements of the Act in the case of non-prohibited firearms is a fine not exceeding 20 penalty units or imprisonment for a term not exceeding 12 months or both. Similar penalties apply throughout the Act.

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